

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

BUFFALO PATENTS, LLC,

Plaintiff,

v.

HTC CORPORATION,

Defendant.

CIVIL ACTION NO. 6:21-cv-1062-ADA

JURY TRIAL DEMANDED

**JOINT MOTION TO DISMISS
DEFENDANT HTC CORPORATION**

Plaintiff Buffalo Patents, LLC (“Buffalo Patents”) and Defendant HTC Corporation (“HTC”) hereby submit this Joint Motion to Dismiss. For the limited purpose of this case, in consideration of the mutual agreements between the parties, and in light of the representations made herein, HTC represents as follows:

1. On October 13, 2021, Buffalo Patents filed this lawsuit against HTC for infringement of U.S. Patent Nos. 7,187,670 (“the ’670 Patent”), 7,408,915 (“the ’915 Patent”), 8,611,328 (“the ’328 Patent”), and 9,001,816 (“the ’816 Patent”) (collectively the “patents-in-suit”).
2. HTC had a license to practice the patents-in-suit up through June 30, 2020.
3. HTC and its affiliates have not sold any products in the United States that are accused in the Original Complaint since June 30, 2020.
4. HTC and its affiliates have sold only a de minimis number of products in the United States similar to those accused in the Original Complaint since June 30, 2020.

5. HTC will not file a declaratory judgment action, nor initiate any other action or proceeding against Buffalo Patents alleging non-infringement, invalidity, and/or unenforceability of the patents-in-suit as long as Buffalo Patents does not seek to reinstate or threaten any claim against it relating to the patents-in-suit.

In light of the above stipulations, the parties jointly move that HTC be dismissed without prejudice from this action, with Buffalo Patents and HTC bearing their own costs and fees.

Dated: December 9, 2021

Respectfully submitted,

/s/ ChiaTe Lu

ChiaTe Lu

VP & General Counsel

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on 9th day of December 2021, the above document was filed with the Clerk of Court using CM/ECF which will send notification of such filing to the attorneys of record in this case.

/s/ Zachariah S. Harrington
Zachariah S. Harrington